



**OFFICE OF  
THE ATTORNEY GENERAL  
AUSTIN, TEXAS**

**PRICE DANIEL  
ATTORNEY GENERAL**

**Honorable Tom Martin, Chairman  
Game and Fisheries Committee  
House of Representatives  
Austin, Texas**

**Dear Sir:**

**Opinion V-75**

**Re: Constitutional validity  
of House Bill No. 330,  
50th Legislature.**

We have your request for an opinion by this Department upon the validity of House Bill No. 330 of the present Legislature, and the Bill itself accompanies your request.

We have examined the Bill -- title and body--and make the following comments and suggestions:

No bill may contain more than one subject, and we find that this bill does contain dual subjects, that is to say, on the whole it appears to be a bill to regulate hunting of quail upon privately owned lands in Van Zandt County, and likewise in Section 5 of the Bill there is contained the following:

"And Chapter 431, laws of the 47th  
Legislature, Regular Session 1941, is hereby specifically repealed."

Chapter 431 of the 47th Legislature, Regular Session appears to be wholly without the scope of the real subject of the Bill, and even entirely beyond the details of that one subject expressed in the title. Chapter 431 relates to State Parks Board's concessions and has no relevancy whatever to hunting quail in Van Zandt County. Obviously, there has been some clerical error in this respect. The quoted language should be eliminated from the Bill as it now reads.

The bill is a local one applying only to Van Zandt County, but such a local or special law is an exception to the general provision contained in the last paragraph of Section 56, Article III, declaring:

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"And in all other cases where a general law can be made applicable, no local or special law shall be enacted; provided, that nothing herein contained shall be construed to prohibit the Legislature from passing special laws for the preservation of the game and fish of this State in certain localities."

Subject to our suggestion of deletion, we approve the bill as to its validity.

House Bill No. 330 is herewith returned.

SUMMARY

1. The body of House Bill No. 330, 50th Legislature contains two distinct subjects, hunting quail in Van Zandt County and State Parks Boards concessions, and the latter one should be deleted.

2. The bill is a special law, but may be validly passed as a general law under the last paragraph of Section 56 of Article III of the Constitution.

Yours very truly,

ATTORNEY GENERAL OF TEXAS

By

Ocie Speer  
Assistant

OS:asm:mfj

APPROVED MAR. 6, 1947  
/s/ Price Daniel  
ATTORNEY GENERAL OF TEXAS

APPROVED OPINION COMMITTEE  
BY EWS  
CHAIRMAN